

Appl. No. 10/760,139

REMARKS

Claim 23 is pending after entry of the present amendment. In the Office Action dated July 3, 2007, the Examiner took the following action: (1) objected to the drawings; (2) rejected claims 1-11 and 14-21 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; (3) rejected claims 1-6, 8-11 and 14-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,824,664 to Austin et al. ("Austin"); (4) rejected claims 7, 12, 13 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Austin in view of U.S. Patent No. 6,368,871 to Christel et al. ("Christel"); (5) rejected claims 1, 3, 5, 9 and 10 for obviousness-type double patenting as being unpatentable over claims 1, 3-7, 14, 16-17 and 19-22 of U.S. Patent No. 7,014,747 to Cummings et al. ("Cummings 747") in view of Austin; (6) rejected claims 1, 6 and 14 for obviousness-type double patenting as being unpatentable over claims 1, 4-5 and 8 of U.S. Patent No. 7,204,923 to Cummings ("Cummings 923") in view of Austin; (7) rejected claims 1-3, 6-11, 14, 16 and 19 for obviousness-type double patenting as being unpatentable over claims 1, 3-6, 8 and 17-21 of co-pending Application No. 10/678,603; and (8) rejected claims 1-3 and 14 for obviousness-type double patenting as being unpatentable over claims 1, 3-7, 46 and 47 of co-pending Application No. 10/969,137.

Interview Summary

Applicants appreciate the Examiner's time in discussing Applicants' October 22, 2007 after-final amendment on October 26, 2007. The Examiner and the undersigned (Jennifer M. Lane) discussed the October 22, 2007 after-final amendment, the Examiner's Advisory Action and claims 21-22 as presented in the October 22, 2007 after-final amendment. The Examiner indicated that presently presented new claim 23 would be allowable in light of the withdrawal of the obviousness rejection. The Examiner's time and attention is much appreciated.

Cancelled Claims

Without admitting the propriety of the rejection, and without prejudice for presenting the claims in this or a related application, to expedite allowance of remaining claims in the Application, Applicants have cancelled claims 1-22.

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New Claim 23

New claim 23 is patentable at least because the combination of Austin and Christel fail to disclose "trapping particles in a ring around a center of the radial array" as discussed in Applicants' October 22, 2007 after final amendment.

Double Patenting

Applicants note the Examiner's non-statutory double patenting rejections, and enclose an appropriate terminal disclaimer to overcome the rejections.

Applicants submit the claim remaining in the application is now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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Enclosures:

Fax Cover Sheet
Fee Transmittal Sheet (+ copy)
Terminal Disclaimer

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